

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:09-HC-2165-BR

FILED IN OPEN COURT
ON 7-12-12
Julie A. Richards, Clerk
US District Court
Eastern District of NC

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	STIPULATION OF FACTS
)	
RODNEY MAHTO,)	
)	
Respondent.)	

It is agreed to by the Respondent, Rodney Mahto, his counsel Lawrence H. Brenner, and counsel for the United States, David T. Huband, Special Assistant United States Attorney, that the following facts are true and accurate to the best of the knowledge of all of the parties, and that the Respondent specifically states the following:

1. Respondent, Rodney Mahto, is in custody of the Federal Bureau of Prisons at the Federal Correctional Institution in Butner, North Carolina, pursuant to certification under 18 U.S.C. § 4248.

2. Respondent was certified as a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, on December 21, 2009.

3. At the time of his certification, respondent was serving a 151-month sentence for Sexual Abuse, in violation of 18 U.S.C. §§ 2242(1) and 1153. (Case No. C4-97-16-01, D.N.D.). Respondent also received a 3-year term of supervised release.

4. Respondent's original release date was April 27, 2010.

5. Respondent has engaged or attempted to engage in sexually violent conduct or child molestation, in that:

A. On November 14, 1997, respondent was convicted of Sexual Abuse and was sentenced to a 151-month term of imprisonment and 3 years of supervised release. According to the presentence investigation report, respondent sexually molested his 7-year-old step-daughter.

B. On July 11, 1994, Respondent was convicted of Attempted Sexual Contact with a Child and was sentenced to a 48-month term of imprisonment. According to the presentence investigation report, Respondent forced penile-vaginal intercourse and performed oral sex on a 15-year-old girl.

C. On January 13, 1992, Respondent was convicted of Third Degree Sexual Misconduct and sentenced to an eight month term of imprisonment and 10 years of probation. According to the presentence investigation report, Respondent sexually assaulted a 15-year-old female by vaginally raping her.

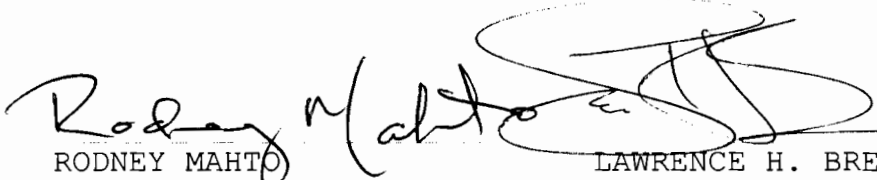
6. Respondent suffers from the following serious mental illnesses, abnormalities or disorders: (1) Sexual Disorder, Not Otherwise Specified (Hypersexuality); (2) Exhibitionism; and (3) Alcohol Dependence. The above diagnoses are serious mental illnesses, abnormalities or disorders as defined in 18 U.S.C. §§ 4247 and 4248. The government reserves the right to present evidence at any future hearing showing that Respondent suffers from other serious

mental illnesses, abnormalities or disorders.

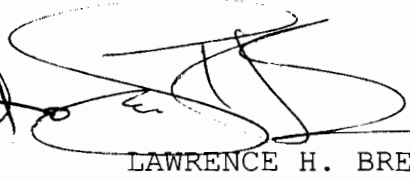
7. As a result of his diagnosed mental illnesses, abnormalities or disorders, Respondent admits that he will have serious difficulty refraining from sexually violent conduct and/or child molestation if released from the custody of the Bureau of Prisons.

Accordingly, the parties agree that voluntary entry into civil commitment is appropriate for the Respondent.

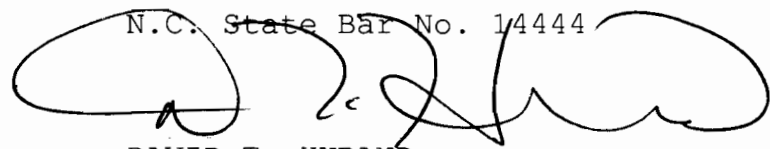
Respectfully submitted this 12th day of July, 2012.



RODNEY MAHTO
Respondent



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